

In re: Hickey et al.
Application No.: 10/615,474
Filed: July 7, 2003
Page 8 of 15

REMARKS

Applicants appreciate the thorough examination of the present application that is reflected in the Office Action.

Claims 1, 8-13, and 15 have been amended and new Claims 19-21 have been added. Claims 14, 17, and 18 have been canceled to expedite prosecution. Applicants submit that the pending claims are patentable over the cited references for at least the reasons that will now be explained and respectfully request reconsideration and withdrawal of the rejections in the Office Action.

Objections to the Drawings Should be Withdrawn

The drawing objections based on the recitations of Claims 10 and 11 have been rendered moot by the amendment of Claims 10, 11, and 15 to recite a wireless communications network.

The Office Action also objects to the drawings as now showing the recitation of Claim 16 that at least one of the first and second user interface devices is releaseably connected to the second housing. Applicants refer the Examiner to Figures 3A and 3B which illustrate two latches 300, and which are described in the Specification as follows:

One or both of the interface devices 130 and 140 may be releaseably connected to the interface housing 110. For example, as illustrated in Figure 3A, the interface housing 110 may include latches 300 that each engage a surface of a corresponding interface device 130 and 140 to retain the interface device. Referring to Figure 3B, interface devices may be removed and replaced by other interface devices. For example, a keyboard 310 and touch sensitive pad 320 on the right side of the deployed interface housing 110 may be swapped with a speaker 330 on the left side by, for example, manipulating the latches 300. The interface devices 130 and 140 may both be speakers, which may provide improved stereo sound to a user due to their spatial separation. The interface devices 130 and 140 may be user input devices, such as a keyboard or touch sensitive pad, which may be simultaneously manipulated by both hands of a user during, for example, gaming and/or data input. (Specification, page 4, lines 19-31, emphasis added).

Applicants submit that the Figures 3A and 3B show an embodiment of every feature of Claim 16.

In re: Hickey et al.
Application No.: 10/615,474
Filed: July 7, 2003
Page 9 of 15

Accordingly, Applicants request withdrawal of all objections to the drawings.

Objection to the Specification Should be Withdrawn

The Specification has been amended to recite "BLUETOOTH protocol".
Accordingly, Applicants submit that the objection to the Specification should be withdrawn.

Claims 10-13, 15, and 16 Satisfy 35 U.S.C. 112, first paragraph

Claims 10-13, 15, and 16 stand rejected under 35 U.S.C. § 112, first paragraph. The rejection of Claims 10, 11, 13, and 15 have been overcome by the amendment of Claims 10, 11, and 15 to recite a wireless communications network.

Claim 16 has been rejected based on its recitation that at least one of the first and second user interface devices is releaseably connected to the second housing. As explained above, Figures 3A and 3B and the description in the Specification at page 4, lines 19-31, illustrate and describe an embodiment of every feature of Claim 16 and satisfy the written description requirement under 35 U.S.C. § 112, first paragraph.

Accordingly, Applicants request withdrawal of all claim rejections under 35 U.S.C. § 112, first paragraph.

Claims 1-11 and 13 are Patentable over both Janninck et al. Patents

Pending Claims 1-11 and 13 stand rejected under 35 U.S.C. § 102(e) as anticipated by United States Patent Nos. 6,768,899 and 6,766,182, both to Janninck et al. Because the '182 patent is a continuation of the '899 patent and appears to have an identical specification, for purposes of discussion herein they will be collectively referred to as "Janninck". Applicant respectfully submits that many of the recitations of amended independent Claim 1 are not disclosed by Janninck.

Claim 1 has been amended to recite (emphasis added):

1. (Currently Amended) A mobile computing device comprising:
a first housing;
computing circuitry within the first housing;

a display that is configured to visually display information from the computing circuitry to a user, wherein the display is at least partially disposed within the first housing;

a second housing that is rotationally coupled to the first housing through an intermediate region of each of the first and second housings;

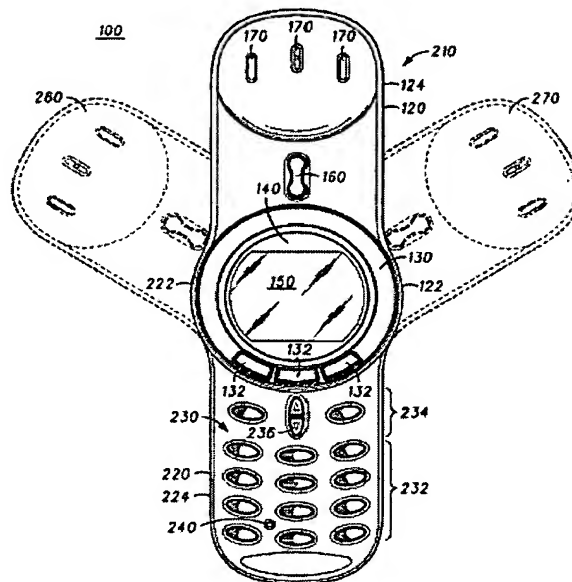
a first user interface device that is at least partially disposed within the second housing; and

a second user interface device that is at least partially disposed within the second housing on an opposite side of the intermediate region of the second housing from the first user interface device, and wherein the second housing is configured to be rotated relative to the first housing between a closed position in which the first and second user interface devices are at least partially covered by the first housing and a deployed position in which the first and second user interface devices are at least partially uncovered on opposite lateral sides of the first housing from one another.

Accordingly, the second housing is rotationally coupled to the first housing through an intermediate region of each of the first and second housings. The first and second interface device are at least partially disposed within the second housing and on opposite sides of the intermediate region of the second housing. When the second housing is in the deployed position, the first and second user interface devices are at least partially uncovered on opposite lateral sides of the first housing from one another.

In contrast, Janninck illustrates and discusses with regard to FIG. 2 (shown below) a mobile phone 100 that has an upper housing 120 that is rotatably connected to a lower housing 220 through end regions of each of the housings 120,220. Janninck does not discuss or suggest that the housings 120,220 can be rotatably connected through an intermediate region of each the housings 120,220.

FIG. 2 Janninck



The Office Action refers to the twelve keys 232 as a "first user interface device" and to the lower housing selection buttons 234 as a "second user interface device". As shown in FIG. 2, the interface devices 232 and 234 are not on opposite sides of an intermediate region of the second housing 220, which is recited in Claim 1. Moreover, when the upper housing 120 is in the deployed position, the interface devices 232 and 234 are on the same lateral side of the upper housing 120. Janninck does not discuss or suggest that the interface devices 232 and 234 can be on opposite lateral sides of the upper housing 120 from one another.

Accordingly, Applicants submit that Janninck is missing multiple recitations of Claim 1 and request withdrawal of the rejection of Claim 1.

The dependent claims are patentable at least per the patentability of the independent claims from which they depend. Moreover, these claims are submitted to provide further basis for patentability as explained below with respect to certain of the dependent claims.

Claim 4 recites that at least one of the first and second user interface devices is a speaker that is configured to output audio signals from the computing circuitry. As explained

above, the Office Action refers to Janninck's illustration and description of the twelve keys 232 as a "first user interface device" and to the lower housing selection buttons 234 as a "second user interface device". The Office Action has provided no explanation of where Janninck discloses that the lower housing 220 can include a speaker, and Applicants submit that Janninck provides no such discussion or suggestion. Accordingly, Applicants submit that Claim 4 is independently patentable over Janninck.

Claim 8 recites that at least one of the first and second user interface devices is a speaker that is enabled responsive to the switch indicating that the second housing is in the deployed position and disabled responsive to the switch indicating that the second housing is in the closed position. As explained above with regard to Claim 4, not only does Janninck not discuss or suggest that the lower housing 220 can include a speaker, it further does not disclose that such a speaker can be selectively enabled and disabled responsive to a switch indicating whether the first housing 120 is deployed or closed. Accordingly, Applicants submit that Claim 8 is independently patentable over Janninck.

Claim 15 recites that the mobile computing device includes at least two speakers, one in the first housing and at least one other in the second housing. Moreover, the computing circuitry is configured to selectively provide music data to the speaker in the first housing responsive to the switch indicating that the second housing is in the closed position and to provide the music data to the at least one speaker in the second housing responsive to the switch indicating that the second housing is in the deployed position. By way of illustration, for example, as shown in Figure 1 of the present application, a user may move the second housing 110 to the deployed position so that speakers that are larger than the one in the first housing 100 can be activated for playing music. Moreover, as explained in the Specification, the "interface devices 130 and 140 may both be speakers, which may provide improved stereo sound to a user due to their spatial separation. (Specification, page 4, lines 26-28). Accordingly, Applicants submit that Claim 15 is independently patentable over Janninck.

Claim 16 recites that at least one of the first and second user interface devices is releaseably connected to the second housing. In rejecting Claim 16 the Office Action

contends on Page 12 that "lacking any critically [sic], making prior art parts separable does not make the claimed invention [sic] over that prior art". The Specification explains with regard to Figure 3B, that the "interface devices may be removed and replaced by other interface devices[, for] example a keyboard 310 and touch sensitive pad 320 on the right side of the deployed interface housing 310 may be swapped with a speaker 330 on the left side". (Specification, page 4, lines 23-26). Moreover, as explained above, the interface devices may be further swapped to provide two speakers which may provide improved stereo sound to a user due to their spatial separation. (Specification, page 4, lines 26-28). Referring to the exploded perspective view of the radiotelephone in FIG. 4 of Janninck, it illustrates that the twelve keys 232 and the lower housing selection buttons 234 are integral to the housing itself. Janninck does not disclose or suggest that the any interface devices can be releasably connected to the lower or upper housings. For at least these reasons, Applicants submit that Claim 16 is independently patentable over Janninck.

New Claims 19-21 are Patentable over Janninck

Claim 19 recites that when the second housing is in the deployed position, opposite ends of the second housing extend a first (same) distance away from opposite lateral sides of the first housing. Janninck does not discuss or suggest that opposite ends of the lower housing 220 in the open position can extend the same distance away from opposite lateral sides of the upper housing 120. For at least these reasons, Applicants submit that Claim 19 is independently patentable over Janninck.

Claim 20 recites that when the second housing is in the deployed position, the first and second user interface devices are completely uncovered and are symmetrical relative to the opposite lateral sides of the first housing. As explained above, Janninck discloses that when the upper housing 120 is in the deployed position, the interface devices 232 and 234 are on the same lateral side of the upper housing 120. For at least these reasons, Applicants submit that Claim 20 is independently patentable over Janninck.

Claim 21 recites that the second housing is rotationally coupled to the first housing

In re: Hickey et al.
Application No.: 10/615,474
Filed: July 7, 2003
Page 14 of 15

through a central region of each of the first and second housings, and that the second user interface device is at least partially disposed within the second housing on an opposite side of the central region of the second housing from the first user interface device. Janninck discloses that upper housing 120 is coupled to the lower housing 220 through an end region of each of the housings 120,220. Moreover, Janninck discloses that the interface devices 232 and 234 are on the same side of a central region of the lower housing 220. For at least these reasons, Applicants submit that Claim 21 is independently patentable over Janninck.

CONCLUSION

Applicant respectfully submits that the pending claims are patentable over the cited combination for at least the reasons stated herein. Accordingly, Applicant submits that the pending claims are in condition for allowance, which is respectfully requested in due course. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (919) 854-1400.

Respectfully submitted,



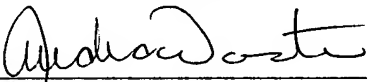
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In re: Hickey et al.
Application No.: 10/615,474
Filed: July 7, 2003
Page 15 of 15

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Audra Wooten